

REMARKS

Claims 4, 6, 10 and 14 have been canceled and the subject matter thereof has been added to the claims from which they depend. Claims 1 to 3, 5, 7 to 9, 11 to 13 and 15 to 18 remain active in this application.

Claims 1 to 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Mayur (US2003/0040130A1). The rejection is respectfully traversed.

The arguments previously presented as to the temperature range claimed, per se, is repeated and incorporated by reference from the Brief on Appeal. The fact remains that Mayur does not teach operation in the temperature range claimed and one can only speculate whether or not the pulsed laser annealing of Mayur would operate in the range claimed herein. It follows that if it cannot be determined whether or not the Mayur system can operate in the range claimed herein, there can be no teaching of the range claimed herein in Mayur. This argument is further bolstered by the fact that Mayur relates to a specific type of annealing, namely pulsed laser annealing, and not to annealing in general. Further more, Mayur does not relate to the fabrication of ultra shallow junctions, which is the purpose of the present invention.

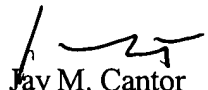
However, in order to more clearly define the invention, the subject matter relating to the anneal times has been added to the independent claims. As stated at page 4, the ultra high temperature anneal comprises “annealing temperatures from 1050⁰C to 1350⁰C for times from 0.5 milliseconds to 3 milliseconds”. Mayur utilizes an anneal time of less than 50 milliseconds for standard anneal {see [0007]} and “less than 100 nanoseconds for pulsed laser anneal, the type of anneal utilized by Mayur (see [0009]). It follows that there is no teaching or suggestion to anneal in

the specific time window claimed. It further follows that there is no teaching or suggestion in Mayur to combine the temperature window with the time window for anneal as claimed herein.

The above argument applies for each of the independent claims, namely claims 1, 5, 9 and 13.

In view of the above remarks, favorable reconsideration and allowance are respectfully requested.

Respectfully submitted,



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